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EXAMINER

PYO, MONICA M

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2161

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,732

Applicant(s)

GILBERT ET AL.

Examiner

Monica M. Pyo

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the Amendment filed 11/16/2007.
2. Claims 21-39 are currently pending in this application. In the Amendment filed 11/16/2007, claims 1-21 are canceled and claims 21-39 are newly added. This action is made Final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-28, 30 and 36-39 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,412,004 issued to Chen et al. (hereinafter Chen) in view of U.S. Patent No. 5,751,286 issued to Barber et al. (hereinafter Barber).

Regarding claims 21 and 30, Chen discloses a computer-implemented method of inserting a graphic onto a drawing page of a drawing software module installed on a computer, the method comprising:

- A). **configuring by a user the drawing software module to access graphic libraries** (Chen: col. 9, lns. 29-45);
- B). **receiving from the user a search term that describes a desired graphic and a selection of at least one of the graphic libraries that the drawing software module has been configured to access** (Chen: col. 6, lns. 60-67);

C). **identifying one or more graphics in the selected graphic libraries that match the received search term (Chen: col. 7, lns. 4-13);**

D). **retrieving from the graphic libraries in which the graphics were identified with the information which associated with each of the identified graphics (Chen: col. 7, lns. 4-13);**

Chen does not explicitly disclose

- D). **the information comprising metadata;**
- E). **displaying to the user the retrieved metadata;**
- F). **receiving from the user a selection of one of the identified graphics based on the displayed metadata;**
- G). **retrieving the selected graphic from the graphic library in which the graphic was identified;**
- H). **inserting the selected graphic onto the drawing page of the drawing software module.**

However, Barber discloses

- D). **the information comprises the metadata (Barber: col. 6, lns. 30-40);**
- E). **displaying to the user the retrieved metadata (Barber: col. 6, lns. 38-43).**
- F). **receiving from the user a selection of one of the identified graphics based on the displayed metadata (Chen: col. 6, lns. 50-col. 7, lns. 13; figs. 1 & 2).**
- G). **retrieving the selected graphic from the graphic library in which the graphic was identified (Barber: col. 10, lns. 1-15); and**

H). inserting the selected graphic onto the drawing page of the drawing software module (Barber: col. 5, lns. 26-44).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen with the teachings of Barber to utilize the metadata of contents with the motivation to enhance an efficient means of searching for images in a database (Barber: col. 1, lns. 33-40).

Regarding claims 22 and 36, Chen and Barber disclose the method wherein the graphic libraries include a private graphic library on a local-area network and a public graphic library on a wide-area network (Chen: col. 6, lns. 60-67; col. 7, lns. 19-38).

Regarding claim 23, Chen and Barber disclose the method wherein an address for each of the selected graphic libraries is written into a configuration database associated with an operating system of the computer (Chen: col. 7, lns. 19-38).

Regarding claims 24 and 36, Chen and Barber disclose the method wherein a wide-area network address of a selected graphic library is changed to a local-area network address when the selected graphic library comprises a private graphic database on the local-area network (Chen: col. 9, lns. 29-45) and (Barber: col. 9, lns. 26-34).

Regarding claim 25, Chen and Barber disclose the method wherein the metadata comprises a representative, abridged image of the graphic (Barber: col. 5, lns. 26-38; col. 9, lns. 26, lns. 40).

Regarding claim 26, Chen and Barber disclose the method wherein at least one of the graphic libraries is located inside a firewall of an enterprise (Chen: col. 9, lns. 46-col. 10, lns. 10).

Regarding claim 27, Chen and Barber disclose the method wherein at least one of the selected graphic libraries is located at an intranet site, and wherein the identifying one or more graphics comprises generating a document associated with the identified graphics and transmitting the document to an active server page of an intranet site (Chen: col. 10, lns. 32-48).

Regarding claim 28, Chen and Barber disclose the method wherein the configuring includes storing an address of each graphic library (Chen: col. 9, lns. 29-45) and (Barber: col. 9, lns. 26-34).

Regarding claim 37, Chen and Barber disclose the computer-readable medium wherein the information comprises metadata (Barber: col. 6, lns. 30-40).

Regarding claim 38, Chen and Barber disclose the computer-readable medium wherein the metadata includes an abridged image of the graphic (Barber: col. 5, lns. 26-38; col. 9, lns. 26,

lns. 40).

Regarding claim 39, Chen and Barber disclose the computer-readable medium wherein the metadata includes a textual description of the graphic (Barber: col. 9, lns. 41-47).

5. Claims 29, 31, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable Chen in view of Barber, as applied to claims 21-28, 30 and 36-39 above, and further in view of U.S. Patent No. 6,658,598 issued to Sullivan (hereinafter Sullivan).

Regarding claim 29, although Chen and Barber disclose its method with a different graphic library (Chen: col. 6, lns. 60-67; col. 7, lns. 19-38), Chen and Barber do not explicitly disclose its method further comprising changing a stored address to point to a different graphic library.

However, Sullivan discloses: the method further comprising changing a stored address to point to a library (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen and Barber with the teachings of Sullivan to utilize the software registry key setting method with the motivation to enhances the technique to diagnose and address problems online (Sullivan: col. 1, lns. 31-43).

Regarding claim 31, although Chen and Barber disclose its computer-readable medium with a graphic databases (Chen: col. 6, lns. 60-67; col. 7, lns. 19-38), Chen and Barber do not

explicitly disclose the computer-readable medium wherein the configuring includes setting a registry key for each of the graphic databases.

However, Sullivan discloses: the computer-readable medium wherein the configuring includes setting a registry key for each of the databases (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen and Barber with the teachings of Sullivan to utilize the software registry key setting method with the motivation to enhance the technique to diagnose and address problems online (Sullivan: col. 1, lns. 31-43).

Regarding claim 32, Chen and Barber and Sullivan disclose the computer-readable further comprising changing a registry key to point to a different graphic database (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

Regarding claim 33, Chen and Barber and Sullivan disclose the computer-readable medium wherein one of the selected graphic databases is an active server page, and wherein the receiving from the user the search term comprises receiving an extensible markup language document that is sent to the active server page (Chen: col. 10, lns. 32-48) and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

6. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Barber as applied to claims 21-28, 30 and 36-39 above, further in view of U.S. Patent No. 7,167,920 issued to Traversat et al. (hereinafter Traversat).

Regarding claim 34, Chen and Barber disclose the computer-readable medium wherein the method further comprises receiving the desired graphic, and wherein the inserting comprises downloading the desired graphic (Barber: col. 10, lns. 1-15; col. 5, lns. 26-44).

Chen and Barber do not explicitly disclose:

a uniform resource locator (Traversat: col. 12, lns. 46-col. 13, lns. 3).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Chen and Barber with the teachings of Traversat to utilize extensible markup language document with the motivation to enhances the searching and retrieving electronic information for users to find (Traversat: col. 2, lns. 4-12).

Regarding claim 35, Chen and Barber and Traversat disclose the computer-readable medium wherein at least one of the graphic databases is located on a private network, and wherein the uniform resource locator locates the desired graphic on a server in the private network (Chen: col. 9, lns. 29-45) and (Barber: col. 9, lns. 26-34) and (Traversat: col. 12, lns. 46-col. 13, lns. 3).

Response to Arguments

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon & Thur 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Monica M Pyo
Examiner
Art Unit 2161

mpyo
1/22/2008


ETIENNE LEROUX
PRIMARY EXAMINER